PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number: STL920000063US1
I hereby certify that this correspondence is being transmitted via the EFS-Web System to the USPTO on: February 25, 2009 Signature: /Janaki K. Davda/ Typed or Printed Name: Janaki K. Davda	**Application Number:** 09/591,035	**Filed:** June 9, 2000
	First Named Inventor: L.E. ENGLAND et al.	
	Art Unit: 2445	**Examiner:** Adnan M. Mirza

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached five (5) sheet(s).
Note: No more than five (5) pages may be provided.

I am the:

/Janaki K. Davda/
Signature

☐ applicant/inventor

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

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NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required*.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	L.E. ENGLAND et al.	Examiner	Adnan M. Mirza
Serial No.	09/591,035	Group Art Unit	2445
Filed	June 9, 2000	Docket No.	STL920000063US1
TITLE	METHOD OF, SYSTEM FOR, AND COMPUTER PROGRAM PRODUCT FOR PROVIDING AN E-BUSINESS CONNECTOR BUILDER		

CERTIFICATE UNDER 37 CFR 1.8:
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PRE-APPEAL BRIEF REQUEST FOR REVIEW ARGUMENTS

Applicants request a pre-appeal brief review of the Examiner's rejection of claims 1, 2, 4, and 6-8 as unpatentable under 35 U.S.C. 103(a) over Helgeson et al. (U.S. 2002/0073236, hereinafter "Helgeson") and in view of O'Brien et al. (U.S. 6,351,776, hereinafter "O'Brien").

Claim 1 describes a computer-implemented method of adapting a transaction-based mainframe application to process transactions over a network, said transaction-based mainframe application comprising source code describing a transaction and information related to the transaction, hereinafter related information.

That is, Applicants' claimed invention is directed towards analyzing a transaction-based mainframe application in order to build a connector to adapt the transaction-based mainframe application to process transactions over a network such as the Web. That is, the claimed invention is directed to retrofitting/adapting existing mainframe applications to support customer to business transactions (C2B) as well as business to business transactions (B2B) on the web (e.g., Specification, page 3, lines 11-13). To enable current mainframe applications and data stores to support such transactions, the claimed invention provides a technique to pass transactions from web application servers to back end applications residing on the mainframe (e.g., Specification, page 3, lines 15-17).

The Helgeson patent application translates data from a system specific local format to a generic interchange format object, and vice versa. (Abstract). Moreover, the Helgeson patent application describes a system that "is predominantly web-enabled, which extends its use to all

industry professionals connected to the Internet". (Paragraph 42). Because the Helgeson patent application is predominantly web-enabled, there is no need to enable a transaction-based mainframe application that is not originally designed to process transactions over the web to do so.

Moreover, in the Helgeson patent application describes that its system is, and will be, able to interface with any other industry standard software programs (Paragraph 41). Thus, the Helgeson patent application again has no need to perform the claimed processing that creates a connector to enable the transaction-based mainframe application to process transactions over the web by enabling the transactions to be passed from a web application server to the transaction-based mainframe application.

In particular, claim 1 describes scanning the source code of the transaction-based mainframe application and identifying the transaction and the related information, wherein the transaction-based mainframe application originally does not process transactions over a World Wide Web (Web). The Examiner cites page 2, paragraph 16 of the Helgeson patent application as teaching this. Applicants respectfully traverse. Page 2, paragraph 0016 of the Helgeson patent application describes monitoring changes of a data object. For example, the monitor 945 monitors changes to local objects and reports changes to interested parties, and clients can register to receive notification of the change only or have the changed object sent with the notification (page 50, paragraph 847). Applicants submit that monitoring changes of a data object does not teach or suggest *scanning the source code of the transaction-based mainframe application to identify the transaction and the related information*.

As discussed above, Applicants submit that the Helgeson patent teaches a system that is web-enabled, which teaches away from having a transaction-based mainframe application is unable to process transactions over a World Wide Web (Web). However, the Examiner cites page 3, paragraph 39 of the Helgeson patent as teaching that the transaction-based mainframe application originally does not process transactions over a World Wide Web (Web). Applicants respectfully traverse. Paragraph 39 of the Helgeson patent describes a Business Management System Platform Architecture that is designed to maintain and use a set of unique servers and common objects to generate the set of tasks required to be performed to complete a designated business transaction in a concrete, and useful way. Paragraph 39 goes on to describe that the platform permits application developers to work on the business aspects of the application

without having to focus on transaction management, security, persistence of data or life cycle management of the objects itself. There is no indication in paragraph 39 that a business application does not process transactions over a network. Thus, Applicants submit that paragraph 39 does not teach or suggest that a transaction-based mainframe application is unable to process transactions over a World Wide Web (Web). Instead, the Helgeson system is predominantly web-enabled (page 3, paragraph 42), which teaches away from a transaction-based mainframe application that is unable to process transactions over a World Wide Web (Web).

Moreover, claim 1 describes identifying a parameter usage type for each parameter, said parameter usage type selectable from the parameter usage type set comprising input, output, input/output, and unreferenced, hereinafter identified information. The Examiner cites page 12, paragraphs 277-278, page 48, paragraph 836, and page 19, paragraph 387 of the Helgeson patent as teaching this. Applicants respectfully traverse. Paragraphs 277-278 describe invocation of database stored procedures that store arguments in specific fields in a data base and vice versa. Paragraph 387 describes that transactional attributes that are separately declared in the bean's deployment descriptor as one of the following six options: TX_NOT_SUPPORTED, TX_SUPPORTS, TX_REQUIRED, TX_REQUIRES_NEW, TX_MANDATORY, TX_BEAN_MANAGED. Applicants submit that transactional attributes do not teach or suggest describes identifying a parameter usage type for each parameter, said parameter usage type selectable from the parameter usage type set comprising input, output, input/output, and unreferenced.

Claim 1 also describes displaying the transaction and a subset of the related information and the extracted information. The Examiner cites page 19, paragraph 387 of the Helgeson patent as teaching this. Applicants respectfully traverse. Paragraph 387 describes that for transactions, an application developer has two options: 1) to explicitly demarcate the boundaries of a transaction, or 2) to use declarative transactional management available with EJBs. Such options do not teach or suggest displaying the transaction and a subset of the related information and extracted information.

Claim 1 describes receiving user input selecting the transaction; and, in response to receiving the user input, generating a communication area file that includes a definition and a declaration of the data to be passed to and from the transaction-based mainframe application and

a documentation file that provides documentation that describes the communication area file using the identified information and the extracted information; and, with the connector building tool, parsing the communication area file and building a connector using the identified information and the extracted information, wherein the transaction-based mainframe application is enabled to process transactions over the Web. The Examiner cites the O'Brien patent at col. 15, lines 21-27. Applicants respectfully traverse. The O'Brien patent, Col. 15, lines 21-27, recites:

> If at step 714 the user must be sent back to the same database, query is made at step 740 to determine if that database is still up. If it is, the request is passed to the pool specification 720 where it is subsequently passed to the database object 236, on to the connection pool 730, and the appropriate database, either the transaction database 150 or the query database 152.

Applicants respectfully submit that a "connection pool" is not a connector building tool that parses the communication area file and builds a connector using the identified information and the extracted information. Also, the O'Brien patent teaches at col. 8, lines 16-18 that the "EJB cluster (EJBC) caches memory of common resources such as the pooling of data connections and the like, as well as data objects." Thus, a connection pool is the pooling of data connections, rather than the claimed connector building tool. The claimed connector building tool may be, for example, the IBM Enterprise Access Beans (EAB) or the Microsoft COMTI Builder (e.g., Specification, page 11, lines 7-9 and lines 24-26). Also, passing a request to a pool specification and subsequently to a database does not teach or suggest generating a communication area file that includes a definition and a declaration of the data to be passed to and from the transaction-based mainframe application and a documentation file that provides documentation that describes the communication area file using the identified information and the extracted information.

In addition, the O'Brien patent provides means by which users can establish, use, and maintain files on the Internet in a manner remote from their local computers (Abstract). The O'Brien patent is not attempting to process the source code of a transaction-based mainframe application that does not process transactions over the network to output data in a form compatible with a connector building tool to enable the transaction-based mainframe application to process transactions over the network.

Furthermore, claim 1 describes the transaction-based mainframe application is enabled to process transactions over the Web. The Examiner cites page 21, paragraph 420 and page 22 paragraph 424 of the Helgeson patent as teaching this. Applicants respectfully traverse. Paragraph 420 describes maintaining transactional integrity using the transactional attribute of TX_REQUIRED for a method cancelClass( ) in the bean's deployment descriptor. Paragraph 424 describes that EJBs are packaged as EJB jar files that are comprised of the class files for the bean class, the home interface, the remote interface, the primary key class (if applicable), in addition to the deployment descriptor and a manifest. Applicants submit that the cited portions of the Helgeson patent do not teach or suggest enabling the transaction-based mainframe application (that *originally does not* process transactions over a World Wide Web (Web)) to process transactions over the Web.

Moreover, the Examiner submits that the O'Brien and Helgeson combination makes it efficient for files to be available worldwide through the Internet and providing means by which files and other data may be stored on the Internet and made available worldwide through the Internet. Applicants submit that the claimed invention is not directed to making files available worldwide. Instead, the claimed invention is directed to processing the source code of a transaction-based mainframe application that originally does not process transactions over the Web to enable the transaction-based mainframe application to process transactions over the network.

Applicants submit that the combination of the Helgeson patent application and the O'Brien patent fails to teach or suggest the subject matter of claim 1 and its dependent claims.

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